



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

ROYLANCE, ABRAMS, BERDO & GOODMAN,
L.L.P.
1300 19TH STREET, N.W.
SUITE 600
WASHINGTON, DC 20036

COPY MAILED
JUL 17 2006
OFFICE OF PETITIONS

In re Application of :
Park et al. :
Application No. 10/725,371 :
Filed: December 3, 2003 : ON PETITION
Attorney Docket Number: 45265 :

This is a decision on the Petition to Withdraw Holding of Abandonment (37 C.F.R. 1.181), or in the Alternative, Petition to Revive Unintentionally Abandoned Application (37 C.F.R. 1.137(b)), filed December 12, 2005. The delay in treating the petitions is regretted.

The petition under 37 C.F.R. 1.181 is granted.

Background

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed April 18, 2005. The Office action set a shortened statutory reply period of one (1) month, and provided for extensions of time under 37 CFR 1.136(a). No reply having been received, the application became abandoned July 19, 2005. A Notice of Abandonment was mailed November 30, 2005.

The instant petition

Applicant files the instant petition to withdraw the abandonment of the application and provides that a timely response to the non-final office action was filed. In support of this assertion, Applicant files a copy of a return-receipt postcard acknowledging receipt of an amendment by this Office in application serial number 10/752,371. A review of the application papers in application serial no. 10/752,371 reveal that no amendment is present in the application that was filed on or about July 15, 2005; however, a copy of the amendment is included with the petition.

"A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all items listed thereon by the PTO."
MPEP § 503.

In view of the above, the holding of abandonment of the above-identified application is hereby withdrawn. The petition fee has been refunded to Applicant's deposit account as authorized in the instant petition.

The application is being referred to Technology Center Art Unit 3677 for processing of the amendment in due course.

Telephone inquiries should be directed to the undersigned at (571) 272-3232.

A handwritten signature in black ink, appearing to read "Derek L. Woods".

Derek L. Woods
Attorney
Office of Petitions